

U.S. Serial No. 10/642,286  
Amendment  
Response to 6-29-05

Atty. Docket No. 740819-1029

### REMARKS

The Applicant's attorney gratefully acknowledges the interview granted by Examiner Charles on October 4, 2005. While no agreement was reached at this interview, the claims have been amended in conformance with the proposed amendment submitted at the interview. The Examiner is encouraged to contact the undersigned attorney upon receipt of this Amendment for the purpose of coming to a final agreement as to the allowability of the claims.

The objection to the drawings has been obviated by revising claims 5, 10, 14 and 16 to delete features not shown in the drawings.

The objection to the specification has been obviated by revising page 4 to eliminate all use of "said."

The rejection of the claims under 35 USC §112, second paragraph, has been obviated by deleting all reference to "heavy duty" in the claims.

The rejection of the claims under 35 USC §103 has been obviated by revising the independent claims to more clearly distinguish the invention from the art of record. Specifically, claim 1 has been amended to specify that:

"the fitting part is formed with includes an indent by upwardly recessing a formed by a recessed portion of the resin part located between the upper inserting/receiving part and the innermost abutment surface to prevent cracking of said blocks in a portion where said upper inserting/receiving part and said innermost abutment surface meet."

As pointed out during the interview, there is no disclosure or suggestion in the Van Liempd '980 patent to modify the Ohkawa '886 patent to include the above limitation of claim 1, for at least two reasons.

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First, while the '980 patent discloses upper and lower transition regions 37 and 40 in transverse elements of a drive belt, the function of these regions is radically different from the recited function above. Specifically, the function of the lower transition region 37 is "preventing ...the bundle of bands 14 of the drive belt 6 [from] being able to come in contact with the side surface 38 of the neck portion 30...because such a contact can be harmful to the bands 13 and the chance of breaking the bands 13 can increase as a result thereof." Column 5, lines 22-32. The function of the upper transition is even less relevant to the function recited in amended Claim 1, it being merely the facilitation of manufacture using a grinding belt. Column 5, lines 39-43. Note that when a grinding belt is not used to manufacture the transverse elements, the "...upper transition region 40....can be left out." Column 5, lines 44-48.

Second, there is no disclosure or suggestion in either of the references of the problem solved by the invention (i.e. the cracking of the blocks in the corner regions), or the cause of the problem (i.e. the generation of stresses in the corners of the blocks from engagement with the tension members). In particular, the problem of cracked blocks due to an abutting engagement with the tension members is never going to happen in the belt of the Liempd '980 patent, since this patent teaches keeping the distance between the bands 13 and the sides of the neck portions 30 "as large as possible.." Column 8, lines 26-32.

Accordingly, Applicants' attorney submits that the invention defined in amended claim 1 is neither disclosed nor suggested by any tenable combination of the Liempd '980 and Ohkawa '806 patents.

As all of the remaining independent claims 7, 10 and 16 now recite the same new limitation as discussed with respect to claim 1, each of these claims is likewise patentable for at least the same reasons.

Finally, as the balance of the claims are each dependent on one of the independent claims 1, 7, 10 and 16, these claims are likewise patentable at least by reason of such dependency.


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Now that all the claims are believed to be patentable, the prompt issuance of a Notice of Allowance and Issue Fee Due is hereby earnestly solicited.

The Commissioner is authorized to charge any overage or shortage of fees connected with filing of this Amendment to Deposit Account No. 19-2380.

Respectfully submitted,

  
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